

**In The United States Patent And Trademark Office**

Applicants: Russel *et al.*

Examiner: Graham, Gary K.

Serial No.: 10/776,972

Art Unit: 3723

Filing Date: February 11, 2004

Confirmation No.: 3195

For: **TOOTHBRUSH FOR CREATING A  
WHITENING EFFECT**

Attorney Docket No.: 7190-00-TB

**DECLARATION UNDER 37 C.F.R. §1.131**

We, Bruce M. Russell, Robert A. Moskovich and Diego Hoic, hereby state as follows:

1. We are co-inventors of pending claims 1, 2, 7, 13, 14 and 23 of the above identified patent application.

2. The invention of independent claim 1 was reduced to practice prior to September 13, 2002 as evidenced by the following document:

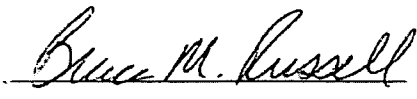
Exhibit A is a copy of an invention record, all the dates of which have been redacted, that describes all of the elements of claim 1.

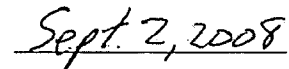
3. The dates of Exhibit A related to earliest conception date and reduction to practice date are prior to the September 13, 2002 effective date of U.S. Publication No. 2004/0053190.

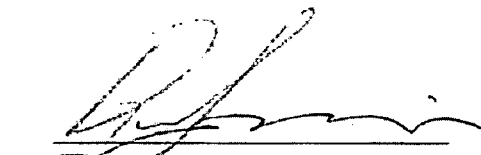
4. The acts relied upon to produce Exhibit A were all carried out in the United States.

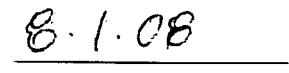
Declaration under 37 C.F.R. §1.131  
Serial No. 10/776,972  
Docket No. 7190-00

5. We hereby declare further that all statements made herein of our own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

  
Bruce M. Russell

  
Date

  
Robert A. Moskovich

  
Date

\_\_\_\_\_  
Diego Hoic

\_\_\_\_\_  
Date